APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,708	04/05/2001	Rabindranath Dutta	AUS9-2001-0048-US1	3963

7590 09/09/2004	EXAMINER
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ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 09/09/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/826,708	DUTTA, RABINDRANATH
	Examiner	Art Unit
	Azizul Choudhury	2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 April 2001_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-26_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-26_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _05 April 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _04/05/2001_.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Detailed Action

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claim1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Scannell et al (US Pat No: US005377354A) in view of Lloyd et al (US Pat No:

US006779178B1), hereafter referred to as Scannell and Lloyd, respectively.

1. With regards to claims 1, 13 and 20, Scannell teaches through Lloyd, a method for

sending electronic mail (e-mail), from a sender to a plurality of recipients,

comprising: receiving input from said sender specifying said recipients of an e-mail

message; and for each of said recipients, receiving input from said sender to create

a tag indicating the importance of said e-mail message, wherein said tags may vary

from one of said recipients to another

(Scannell teaches a design that allows users to set preferences to their email

systems. Among such preferences is the ability to prioritize messages based on

user created files so that messages are prioritized in a user-preferred manner

(column 2, lines 55-62, Scannell). Hence, the priorities may be assigned by the user

from a range of priorities predetermined by the user (column 3, lines 1-5, Scannell).

This includes the creation of priorities (column 2, line 58, Scannell). Plus, features available in all email systems such as inputting recipient information into the email are also available in Scannell's design (column 4, lines 50-68, Scannell). However, the priority adjustment feature is only disclosed for the recipient perspective in the disclosure.

Lloyd discloses a design for an email customization design (column 2, lines 11-12, Lloyd). In this disclosure, Lloyd teaches a design where the sender is able to customize the email message in a variety of formats for the recipients to view (column 2, lines 10-29, Lloyd).

While Scannell's design allows for the priority adjustments claimed, the disclosure describes only a design allowing for email adjustments by the recipient. Lloyd teaches a design where the sender is able to make email adjustments. It would have been obvious to one skilled in the art, during the time of the invention, to combine the teachings of Scannell with those of Lloyd, to create an email system allowing senders to adjust priority settings to the emails, to provide an email customization system (column 2, lines 11-12, Lloyd)).

2. With regards to claims 2, 14 and 21, Scannell teaches through Lloyd, the method further comprising: providing a plurality of said tags with predefined content

(Scannell teaches a design that allows users to set preferences to their email systems. Among such preferences is the ability for the priorities to be assigned by the user from a range of priorities predetermined by the user (column 3, lines 1-5,

Scannell). However, the priority adjustment feature is only disclosed for the recipient

perspective in the disclosure.

Lloyd discloses a design for an email customization design (column 2, lines 11-

12, Lloyd). In this disclosure, Lloyd teaches a design where the sender is able to

customize the email message in a variety of formats for the recipients to view

(column 2, lines 10-29, Lloyd).

While Scannell's design allows for the priority adjustments claimed, the

disclosure describes only a design allowing for email adjustments by the recipient.

Lloyd teaches a design where the sender is able to make email adjustments. It

would have been obvious to one skilled in the art, during the time of the invention, to

combine the teachings of Scannell with those of Lloyd, to create an email system

allowing senders to adjust priority settings to the emails, to provide an email

customization system (column 2, lines 11-12, Lloyd)).

3. With regards to claims 3, 6, 15 and 22, Scannell teaches through Lloyd, the method

further comprising: automatically providing default tags, in the absence of contrary

input from said sender, wherein said default tags may vary according to the status of

said recipients

(Scannell teaches a design that allows users to set preferences to their email

systems. Among such preferences is the ability to prioritize messages based on

user created files so that messages are prioritized in a user-preferred manner

(column 2, lines 55-62, Scannell). Since the email system uses priorities, it is

inherent that when the user makes no priority preference, the email system will employ default priority tags. However, the priority adjustment feature is only disclosed for the recipient perspective in the disclosure.

Lloyd discloses a design for an email customization design (column 2, lines 11-12, Lloyd). In this disclosure, Lloyd teaches a design where the sender is able to customize the email message in a variety of formats for the recipients to view (column 2, lines 10-29, Lloyd).

While Scannell's design allows for the priority adjustments claimed, the disclosure describes only a design allowing for email adjustments by the recipient. Lloyd teaches a design where the sender is able to make email adjustments. It would have been obvious to one skilled in the art, during the time of the invention, to combine the teachings of Scannell with those of Lloyd, to create an email system allowing senders to adjust priority settings to the emails, to provide an email customization system (column 2, lines 11-12, Lloyd)).

4. With regards to claims 4, 16 and 23, Scannell teaches through Lloyd, the method wherein said sender can compose the content of said tags

(Scannell teaches a design that allows users to set preferences to their email systems. Among such preferences is the ability to prioritize messages based on user created files so that messages are prioritized in a user-preferred manner (column 2, lines 55-62, Scannell). Hence, the priorities may be assigned by the user from a range of priorities predetermined by the user (column 3, lines 1-5, Scannell).

This includes the creation of priorities (column 2, line 58, Scannell). However, the priority adjustment feature is only disclosed for the recipient perspective in the disclosure.

Lloyd discloses a design for an email customization design (column 2, lines 11-12, Lloyd). In this disclosure, Lloyd teaches a design where the sender is able to customize the email message in a variety of formats for the recipients to view (column 2, lines 10-29, Lloyd).

While Scannell's design allows for the priority adjustments claimed, the disclosure describes only a design allowing for email adjustments by the recipient. Lloyd teaches a design where the sender is able to make email adjustments. It would have been obvious to one skilled in the art, during the time of the invention, to combine the teachings of Scannell with those of Lloyd, to create an email system allowing senders to adjust priority settings to the emails, to provide an email customization system (column 2, lines 11-12, Lloyd)).

5. With regards to claim 5, Scannell teaches through Lloyd a method for sending e-mail, from a sender to a plurality of recipients, comprising: providing tags, to convey information about the importance of an e-mail message; receiving input from said sender specifying said recipients of said e-mail message; and for each of said recipients, receiving input From said sender specifying one of said tags to be placed on said e-mail message, wherein said tags may vary from one of said recipients to another

(Scannell teaches a design that allows users to set preferences to their email systems. Among such preferences is the ability to prioritize messages based on user created files so that messages are prioritized in a user-preferred manner (column 2, lines 55-62, Scannell). This includes setting priorities based on people. Hence, the priorities may be assigned by the user from a range of priorities predetermined by the user (column 3, lines 1-5, Scannell). This includes the creation of priorities (column 2, line 58, Scannell). Plus, features available in all email systems such as inputting recipient information into the email are also available in Scannell's design (column 4, lines 50-68, Scannell). However, the priority adjustment feature is only disclosed for the recipient perspective in the disclosure.

Lloyd discloses a design for an email customization design (column 2, lines 11-12, Lloyd). In this disclosure, Lloyd teaches a design where the sender is able to customize the email message in a variety of formats for the recipients to view (column 2, lines 10-29, Lloyd).

While Scannell's design allows for the priority adjustments claimed, the disclosure describes only a design allowing for email adjustments by the recipient. Lloyd teaches a design where the sender is able to make email adjustments. It would have been obvious to one skilled in the art, during the time of the invention, to combine the teachings of Scannell with those of Lloyd, to create an email system allowing senders to adjust priority settings to the emails, to provide an email customization system (column 2, lines 11-12, Lloyd)).

6. With regards to claim 7, Scannell teaches through Lloyd a method for providing

e-mail services, said method comprising: receiving input from a sender specifying a

recipient of an e-mail message; and communicating to said sender at least one of

said recipient's preferences concerning e-mail received by said recipient, before said

e-mail message is transmitted to said recipient

(Scannell teaches a design that allows users to set preferences to their email

systems. Among such preferences is the ability to prioritize messages based on

user created files so that messages are prioritized in a user-preferred manner

(column 2, lines 55-62, Scannell). In addition, Scannell's design allows for sender

traits to be checked for each email by the email system (column 7, line 30 – column

8, line 33, Scannell) using rules. Hence, means for performing the claimed

communicating to sender the recipient's preferences are present within Scannell's

design. Plus, features available in all email systems such as inputting recipient

information into the email are also available in Scannell's design (column 4, lines 50-

68, Scannell). However, the priority adjustment feature is only disclosed for the

recipient perspective in the disclosure.

Lloyd discloses a design for an email customization design (column 2, lines 11-

12, Lloyd). In this disclosure, Lloyd teaches a design where the sender is able to

customize the email message in a variety of formats for the recipients to view

(column 2, lines 10-29, Lloyd).

While Scannell's design allows for the priority adjustments claimed, the
disclosure describes only a design allowing for email adjustments by the recipient.
Lloyd teaches a design where the sender is able to make email adjustments. It
would have been obvious to one skilled in the art, during the time of the invention, to
combine the teachings of Scannell with those of Lloyd, to create an email system
allowing senders to adjust priority settings to the emails, to provide an email
customization system (column 2, lines 11-12, Lloyd)).

7. With regards to claims 8, 11, 18 and 25, Scannell teaches through Lloyd, the method
   wherein said preferences concern the size of e-mail messages sent to said recipient

   (Scannell teaches a design that allows users to set preferences to their email
   systems. Among such preferences is the ability to prioritize messages based on
   user created files so that messages are prioritized in a user-preferred manner
   (column 2, lines 55-62, Scannell). So, the priorities may be assigned by the user
   from a range of priorities predetermined by the user (column 3, lines 1-5, Scannell).
   Hence, the claimed size preference is acceptable within Scannell's design.
   Furthermore, Scannell discloses that means are present by which to obtain
   statistical information (column 5, line 1, Scannell). However, the priority adjustment
   feature is only disclosed for the recipient perspective in the disclosure.

   Lloyd discloses a design for an email customization design (column 2, lines 11-
   12, Lloyd). In this disclosure, Lloyd teaches a design where the sender is able to

customize the email message in a variety of formats for the recipients to view (column 2, lines 10-29, Lloyd).

While Scannell's design allows for the priority adjustments claimed, the disclosure describes only a design allowing for email adjustments by the recipient. Lloyd teaches a design where the sender is able to make email adjustments. It would have been obvious to one skilled in the art, during the time of the invention, to combine the teachings of Scannell with those of Lloyd, to create an email system allowing senders to adjust priority settings to the emails, to provide an email customization system (column 2, lines 11-12, Lloyd)).

8. With regards to claims 9, 12, 19 and 26, Scannell teaches through Lloyd, the method wherein: said preferences concern rating the importance of said e-mail message, and; wherein said communicating further comprises: providing said preferences as a set of menu entries to said sender; receiving a menu entry selection signal from said sender; and in response to said signal, tagging said e-mail message, to implement said preferences

(Scannell teaches a design that allows users to set preferences to their email systems. Among such preferences is the ability to prioritize messages based on user created files so that messages are prioritized in a user-preferred manner (column 2, lines 55-62, Scannell). So, the priorities may be assigned by the user from a range of priorities predetermined by the user (column 3, lines 1-5, Scannell). Hence, the claimed importance preference is acceptable within Scannell's design.

However, the priority adjustment feature is only disclosed for the recipient

perspective in the disclosure.

Lloyd discloses a design for an email customization design (column 2, lines 11-

12, Lloyd). In this disclosure, Lloyd teaches a design where the sender is able to

customize the email message in a variety of formats for the recipients to view

(column 2, lines 10-29, Lloyd).

While Scannell's design allows for the priority adjustments claimed, the

disclosure describes only a design allowing for email adjustments by the recipient.

Lloyd teaches a design where the sender is able to make email adjustments. It

would have been obvious to one skilled in the art, during the time of the invention, to

combine the teachings of Scannell with those of Lloyd, to create an email system

allowing senders to adjust priority settings to the emails, to provide an email

customization system (column 2, lines 11-12, Lloyd)).

9. With regards to claims 10, 17 and 24, Scannell teaches through Lloyd, a method for

providing e-mail services, said method comprising: maintaining a database

identifying at least one e-mail recipient and his or her corresponding preferences

concerning e-mail received by said recipient; and communicating at least one of said

preferences to a sender of an e-mail message, before said e-mail message is

transmitted to said recipient

(Scannell teaches a design that allows users to set preferences to their email

systems. Among such preferences is the ability to prioritize messages based on

user created files so that messages are prioritized in a user-preferred manner (column 2, lines 55-62, Scannell). In addition, Scannell's design allows for sender traits to be checked for each email by the email system (column 7, line 30 – column 8, line 33, Scannell) using rules. These traits are stored in a storage unit (equivalent to the claimed database) and are referenced from there. Hence, means for performing the claimed communicating to sender the recipient's preferences are present within Scannell's design. Plus, features available in all email systems such as inputting recipient information into the email are also available in Scannell's design (column 4, lines 50-68, Scannell). However, the priority adjustment feature is only disclosed for the recipient perspective in the disclosure.

Lloyd discloses a design for an email customization design (column 2, lines 11-12, Lloyd). In this disclosure, Lloyd teaches a design where the sender is able to customize the email message in a variety of formats for the recipients to view (column 2, lines 10-29, Lloyd).

While Scannell's design allows for the priority adjustments claimed, the disclosure describes only a design allowing for email adjustments by the recipient. Lloyd teaches a design where the sender is able to make email adjustments. It would have been obvious to one skilled in the art, during the time of the invention, to combine the teachings of Scannell with those of Lloyd, to create an email system allowing senders to adjust priority settings to the emails, to provide an email customization system (column 2, lines 11-12, Lloyd)).

Remarks

After careful review of the application, the examiner feels the claims provided are seen as being general and would benefit from the inclusion of more detailed specifications. In addition, should the applicants have any further details regarding their design that would present their design as being truly unique over the prior art provided by the examiner, they are encouraged to amend the specifications and claims to reflect such changes.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is 703-305-7209. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC

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SUPERVISORY PATENT EXAMINER